

REMARKS

Claims 1, 2, 4, 6-16 and 51 are currently pending in the subject application and are presently under consideration. Claims 1, 2, 4, 6-16 and 51 have been amended as shown on pp. 2-10 of the Reply. In addition, claims 52-62 have been newly added. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1, 2, 4, 6-16 and 51 Under 35 U.S.C. §101

Claims 1, 2, 4, 6-16 and 51 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Independent claims 1 and 51 have been amended to recite useful, concrete and tangible aspects. Accordingly, withdrawal of this rejection is respectfully requested.

II. Rejection of Claims 1, 2, 4, 6-16 Under 35 U.S.C. §112

Claims 1, 2, 4, 6-16 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 2, 6, 6-16 have been amended herein and, in light of the amendments, this rejection should be withdrawn.

III. Rejection of Claims 1, 2, 4, 6-16 Under 35 U.S.C. §103(a)

Claims 1, 2, 4, 6-16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bergman *et al.* (U.S. 6,564,263) in view of Byrne *et al.* (U.S. 5,990, 883). Withdrawal of this rejection is requested for at least the following reasons. The cited references, either alone or in combination, fail to teach or suggest all limitations of the subject claims.

[T]he prior art reference (or references when combined) must teach or suggest all claim limitations. See MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. See *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

52. The subject invention relates to systems and methods for rich file management in connection with storing and managing data to facilitate effective querying across disparate information. In particular, independent claim 1 recites *a multimedia platform that manages disparate files, comprising at least one processor that executes a management component that coordinates storage, retrieval, querying and manipulation of disparate multimedia files as one entity of data, the management component employs one or more schemas to retain and manipulate the disparate files with each file associated with one schema, the one or more schemas can include at least one of a common schema or a schema, derived from the common schema, and associated with a particular file type and a computer-readable storage medium that retains the disparate multimedia files managed by the management component, the computer-readable storage medium retains the disparate files in accordance with the one or more schemas employed to manage the disparate files.* The cited references do not teach or suggest such aspects.

Bergman *et al.* relates to a framework for describing multimedia content and a system in which a plurality of multimedia storage devices employing the content description methods can interoperate. (See Abstract). Multimedia objects are described through an InfoPyramid model to capture the multiple modality and multiple fidelity nature of the objects. (See col. 3, ll. 40-43). Nodes of an InfoPyramid object correspond to a specific modality and fidelity of the multimedia object. Interconnections between the nodes indicate transformations that may be performed on the object to render the object suitable for a plurality of devices. (See col. 7, line 65 – col. 8, line 4 and col. 10, ll. 10-15). Additionally, in one embodiment, Bergman *et al.* discloses extracting terms from a parent web document and web address of an image or video file and assigns those terms to the file. (See col. 21, ll. 4-8). While Bergman *et al.* discloses employing XML/RDF schemas to describe terminal objects (e.g., InfoPyramids), the schema provides multimedia content descriptions associated with multiple modalities and fidelities of a terminal object. (See col. 6, ll. 39-56). The cited reference does not employ XML/RDF schemas to retain disparate files as recited in the subject claims.

In the subject claims, disparate multimedia files are managed as an entity. A management component employs one or more schemas to retain and manipulate the files wherein each file is associated with a schema. In the cited reference, an InfoPyramid is employed to describe a terminal object wherein a terminal object can comprise multiple

multimedia files of various modalities and fidelities that are related to a person, event, object, etc. Accordingly, the cited reference discloses a framework that organizes and collects a plurality of media files related to a common aspect (and any modalities and fidelities associated therewith). In the claimed subject matter, each file is associated with a schema. In addition, each file is retained, accessed and managed in accordance with the associated schema.

Byrne *et al.* does not make up for the aforementioned deficiencies of Bergman *et al.* Rather, Byrne *et al.* relates to a system and method for selecting content from a plurality of different physical sources and from a variety of content sources (e.g. terrestrially broadcast signals and cable television signals) available from the physical sources. (See Abstract). Byrne *et al.* provides steps for gathering programming data for a plurality of different program environments and integrating this data to be presented to the user in an electronic program guide. Thus, Byrne *et al.* discloses a system in which a user may efficiently tune to selected programming from different physical sources. However, Byrne *et al.* does not disclose, teach or suggest retaining and manipulating disparate files in accordance with one or more schemas.

Moreover, claim 6 recites *the management component locates, associates and suggests metadata for a received file, the suggested metadata includes information indicative of a level confidence that the suggested metadata corresponds to the received file*. The cited references fail to teach or suggest such aspect. Bergman *et al.* discloses that XML provides an extensible framework with which to manage a plethora of meta-data and feature descriptors. However, the cited reference does not disclose locating metadata or including a level of confidence that the located metadata corresponds to a file. Accordingly, the cited references do not teach or suggest claim 6.

Further still, claim 14 recites *the management component maintains a history of a stored file*. In the subject Office Action, it is contended that Bergman *et al.* teaches maintaining a history of a stored file. However, the cited reference manages an original modality and fidelity (e.g., resolution) in connection with several derived modalities and/or fidelities. Rather than providing a history of a file, the cited reference discloses providing additional modalities and fidelities. Moreover, claim 15 recites *the file history is utilized in connection with intelligent decision-making to automate at least one of execution, manipulation and access to the file*. The cited references do not teach or suggest employing a file history to enable intelligent automation.

In view of at least the foregoing, it is readily apparent that Bergman *et al.* and Byrne *et al.*, either alone or in combination, fail to disclose, teach or suggest each and every limitation recited in the subject claims. Therefore, the cited references do not make obvious applicants' claims and this rejection should be withdrawn.

IV. Rejection of Claim 51 Under 35 U.S.C. §103(a)

Claim 51 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Bergman *et al.* in view of Ashby *et al.* (U.S. 2003/0120673). It is respectfully requested that this rejection be withdrawn for at least the following reasons. The cited references, either alone or in combination, fail to teach or suggest all limitations of the subject claims.

Claim 51 recites *a system that manages disparate multimedia files, comprising a computer-readable storage medium that retains a multimedia file system that stores disparate multimedia files based at least in part on selected schemas, the schemas can include at least one of a generic schema, an audio schema or a video schema and at least one processor that executes a management component that manages and facilitates storage of the disparate multimedia files retained in the multimedia file system, the management component selects a schema for a given file based at least in part on characteristics of the file, the management component enables uniform access to the disparate multimedia files via the selected schemas in accordance with the selected schemas and an application program interface generation component that produces at least one application program interface based at least in part on the selected schemas, the application program interface enables one or more applications to interact with the disparate multimedia files in accordance with the schemas selected to store the files.* The cited references do not teach or suggest such aspects.

As discussed supra, Bergman *et al.* does not teach or suggest retaining multimedia files in accordance with schemas. In addition, Bergman *et al.* also fails to disclose managing and facilitating storage based upon the schemas wherein the schemas for a multimedia file are selected based on characteristics of the file. In the subject Office Action, it is contended that Ashby *et al.* cures the aforementioned deficiencies of Bergman *et al.* However, Ashby *et al.* relates to deterministically classifying and indexing objects (e.g., digital media) perceived arbitrarily and subjectively. (See Abstract). For instance, a user establishes a set of descriptive categories that can be employed to generate collections of digital media. Thus, files are selected

for a collection based upon characteristics of the file that match the categories. However, the reference does not teach or suggest selecting a schema to manage and store a file based up characteristics of the file. In addition, the cited references do not teach or suggest generating application program interfaces based upon the schemas to enable applications to interact with the files in accordance with the schemas.

In view of at least the foregoing, it is readily apparent that Bergman *et al.* and Ashby *et al.*, either alone or in combination, fail to disclose, teach or suggest each and every limitation recited in the subject claims. Therefore, the cited references do not make obvious applicants' claims and this rejection should be withdrawn.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP534US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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